



Signed and Filed: January 6, 2020

Dennis Montali

DENNIS MONTALI
U.S. Bankruptcy Judge

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Attorneys for the Plaintiffs' Executive Committee appointed by the Superior Court of the State of California, in and for the County of Alameda, in Case No. RG16843631 and related cases.

THE UNITED STATES BANKRUPTCY COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

<p>In re:</p> <p>PG&E CORPORATION,</p> <p>-and-</p> <p>In re:</p> <p>PACIFIC GAS AND ELECTRIC COMPANY,</p> <p>Debtors.</p> <p><input type="checkbox"/> Affects PG&E Corporation</p> <p><input type="checkbox"/> Affects Pacific Gas and Electric Company</p> <p><input checked="" type="checkbox"/> Affects both Debtors</p> <p><i>* All papers shall be filed in the lead case, No. 19-30088(DM)</i></p>	<p>) Case Nos. 19-30088 (DM)</p> <p>) Chapter 11</p> <p>) ORDER RE: MOTION FOR RELIEF FROM AUTOMATIC STAY TO PERMIT THE COURTS OF THE STATE OF CALIFORNIA TO CONDUCT A JURY TRIAL AND RELATED PRETRIAL AND POST TRIAL MATTERS IN CONNECTION WITH THE GHOST SHIP FIRE CASES</p> <p>) DATE: December 17, 2019</p> <p>) TIME: 10:00 a.m.</p> <p>) PLACE: Courtroom 17</p> <p>) 450 Golden Gate Avenue,</p> <p>) 16th Fl.</p> <p>) San Francisco, California</p> <p>) JUDGE: Hon. Dennis Montali</p> <p>) RELATED DOCKET: 4875-4879</p>
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On November 26, 2019, the Plaintiffs' Executive Committee appointed by the Superior Court of the State of California, in and for the County of Alameda, in Case No. RG16843631 and related cases (the "Ghost Ship Executive Committee") filed the Motion for Relief from the Automatic Stay to Permit the Courts of the State of California to Conduct a Jury Trial and Related Pretrial and Post Trial Matters in Connection with the Ghost Ship Fire Cases (the "Motion") (Dkt. No. 4875) in the above-captioned matter, pursuant to 11 U.S.C. Section 362(d)(1).

The duly noticed hearing on the Motion was scheduled for and conducted on December 17, 2019, before the Honorable Dennis Montali, United States Bankruptcy Judge.

1 Estela O. Pino of Pino and Associates appeared on behalf of the moving party, Ghost Ship
2 Executive Committee.

3 The following appeared in the support of the Motion: Robert Julian of Baker & Hostetler,
4 LLP appeared on behalf of the Official Committee of Tort Claimants; Mary E. Alexander of Mary
5 Alexander & Associates, PC appeared on behalf of Susan Slocum, Individually, as Personal
6 Representative of the Estate of Donna Kellogg, and as Successor in Interest of Donna Kellogg, and
7 Estate of Donna Kellogg, and other plaintiffs; and William Gordon Kaupp of Kaupp & Feinberg,
8 LLP appeared on behalf of Samuel Maxwell.

9 Theodore E. Tsekerides of Weil, Gotshal & Manges, LLP appeared on behalf of PG&E
10 Corporation and Pacific Gas and Electric Company (collectively the “Debtors”) in opposition to the
11 Motion. The Official Committee of Unsecured Creditors joined in the Debtors’ opposition to the
12 Motion, but made no appearance during the hearing on the Motion.
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14 Having reviewed the pleadings filed with the Court in connection with the Motion, having
15 considered the arguments made during the hearing, and having accepted the representation that the
16 Ghost Ship Plaintiffs are willing to limit their recovery solely to the total tower of the Debtors’
17 insurance policies, as available, for the 2016 year (the “Debtors’ Insurance”), including any
18 remaining Self Insured Retention (the “SIR”) that may still be available at the time of any settlement
19 or final judgment; the Court made its findings of facts and conclusions of law, orally on the record,
20 in open Court, at the conclusion of the hearing, as authorized by Rule 52(a) of the Federal Rules of
21 Civil Procedure, as incorporated by Rule 7052 of the Federal Rules of Bankruptcy Procedure, which
22 Rule is made applicable to this contested matter by Rule 9014(c) of the Federal Rules of Bankruptcy
23 Procedure. Based on said findings of facts and conclusion of law, and good cause appearing
24 therefor:

25 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

26 (1) The Motion is granted to the extent set forth herein; and
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1 (2) Relief from automatic stay is granted, effective immediately, to all the plaintiffs (the
2 “Ghost Ship Plaintiffs”) in *In Re Ghost Ship Fire Litigation*, Case No. RG16843631 (And Related
3 Cases), pending in the Superior Court of the State of California, County of Alameda, (the “Ghost
4 Ship Litigation”) to allow them to proceed on all their claims against the Debtors, including
5 wrongful death, survival, personal injury, and related property damage claims; and
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7 (3) Relief from automatic stay is granted, effective immediately, to the Ghost Ship
8 Plaintiffs in the Ghost Ship Litigation to proceed against the Debtors, in order to establish the
9 liability, if any, of the Debtors, obtain judgment(s), if any, against the Debtors, and collect any
10 judgment(s) obtained against the Debtors solely to the extent of the Debtors’ Insurance, including
11 any remaining SIR that may still be available at the time of any settlement or final judgment.
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13 Approved as to form and content:

14
15 Dated: January 3, 2020

**WEIL, GOTSHAL & MANGES LLP
KELLER & BENVENUTTI LLP**

17 By: /s/ Theodore E. Tsekerides
18 Theodore E. Tsekerides, Attorneys for
19 Debtors and Debtors in Possession

20 Dated: January 3, 2020

BAKER & HOSTETLER, LLP

23 By: /s/ Robert Julian
24 Robert Julian, Attorneys for
25 Official Committee of Tort Claimants.
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